

Amendment No. 1 to HB0845

Eldridge  
Signature of Sponsor

**AMEND Senate Bill No. 486\***

**House Bill No. 845**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

- ( ) A commercially operated facility that:
  - (i) Is located on approximately ten (10) acres contiguous to Kentucky Lake;
  - (ii) Operates a restaurant on a floating dock with approximately two hundred fifty (250) seats;
  - (iii) Operates approximately sixty (60) boat slips for customers;
  - (iv) Operates a gift and souvenir shop;
  - (v) Is a venue for live music, weddings, and other private and charitable events;
  - (vi) Operates twenty (20) covered boat slip rentals, twenty-seven (27) campsites, three (3) cabin rentals, and a gas dock; and
  - (vii) Is located in a county with a population of not less than thirteen thousand three hundred (13,300) and not more than thirteen thousand four hundred (13,400), according to the 2010 or any subsequent federal census;

SECTION 2. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

- ( ) A commercially operated facility that:
  - (i) Was established in 2017;

(ii) Is situated on approximately eleven (11) acres on the Tennessee River at mile marker seventy-two (72);

(iii) Contains a convenience store and a restaurant with a kitchen and seating for approximately one hundred thirty-three (133) persons inside and fifty-two (52) persons outside;

(iv) Operates an event venue of approximately three thousand square feet (3,000 sq. ft.) for live music and other private events;

(v) Operates sixteen (16) boat slips; six (6) recreational vehicle sites; eighty-six (86) campsites; and eleven (11) rental units; and

(vi) Is located in a county with a population of not less than thirteen thousand three hundred (13,300) and not more than thirteen thousand four hundred (13,400), according to the 2010 or any subsequent federal census;

SECTION 3. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

( ) A commercially operated facility that:

(i) Is situated on approximately seven (7) acres off of White Oak Road in a county with a population of not less than eight thousand four hundred (8,400) and not more than eight thousand five hundred (8,500), according to the 2010 or any subsequent federal census;

(ii) Is located approximately one (1) mile from Cane Creek Marina and approximately three (3) miles from the Danville Ferry;

(iii) Operates a restaurant with a commercial kitchen and approximately seventy (70) indoor seats for guests;

(iv) Operates an outdoor stage and barn as an event venue for music, weddings, and other private events; and

(v) Operates a campground with twenty-five (25) recreational vehicle hook-ups and up to five (5) rental units;

SECTION 4. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

- ( ) A commercially operated marina that:
  - (i) Opened in 1959;
  - (ii) Has fifty-two (52) covered boat slips and thirty-two (32) uncovered boat slips;
  - (iii) Operates a restaurant and bar with seating for approximately fifty (50) guests;
  - (iv) Operates a recreational vehicle campground with thirteen (13) campsites;
  - (v) Operates a convenience store;
  - (vi) Serves as a venue for live music and entertainment; and
  - (vii) Is located along the Hiawassee River in a county with a population of not less than ninety-eight thousand nine hundred (98,900) and not more than ninety-nine thousand (99,000), according to the 2010 and any subsequent federal census;

SECTION 5. Tennessee Code Annotated, Section 57-4-102(20), is amended by adding the following new subdivision:

- ( )
  - (i) "Historic performing arts center" also means a facility that:
    - (a) Is operated by a not-for-profit corporation that is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, where no member, officer, agent, or employee of the center is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond the amount of the salary as may be fixed by its governing body for the reasonable performance of the person's assigned duties. All

profits from the sale of alcoholic beverages by the not-for-profit corporation must be used for the operation, renovation, refurbishing, and maintenance of the center, and in furtherance of the purposes of the organization. Alcoholic beverages may be sold before, during, and after performances and events, and may be consumed inside any auditorium or performance hall within the center;

(b) Executes contracts with professional actors for performances;

(c) Hosts a film series of classic films and new releases;

(d) Operates a school of the arts educational program;

(e) Rents out the facilities to third parties as a venue for performing arts, civic and cultural groups, weddings, and similar events; and

(f) Is located in a city with a population of not less than one hundred thirty-two thousand nine hundred twenty (132,920) and not more than one hundred thirty-two thousand nine hundred twenty-nine (132,929), according to the 2010 or any subsequent federal census;

(ii) The premises of a center licensed under this subdivision (20)( )

means any or all of the property that constitutes the center. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing, including for purposes of relocating the center to a new facility. The designated premises may only include property owned or leased by the center and that is contiguous to the property of the center that is defined in this subdivision (20)( ). The entire designated premises is covered under one (1) license issued under this subdivision (20)( ); and

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of a center licensed under this subdivision (20)( ) means, for beer

permitting purposes, any or all of the property that constitutes the center. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing, including for purposes of relocating the center to a new facility. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

SECTION 6. Tennessee Code Annotated, Section 57-4-102(27), is amended by deleting subdivision (LLLLL) in its entirety.

SECTION 7. Tennessee Code Annotated, Section 57-4-102(13), is amended by adding the following new subdivision:

( ) "Community theater" also means a theater that:

(i) Operates as a community performing arts and civics center in a city with a population of not less than eighteen thousand six hundred fifty (18,650) and not more than eighteen thousand six hundred fifty-nine (18,659), according to the 2010 or any subsequent federal census;

(ii) Was originally built as a school in 1886;

(iii) Contains an auditorium with a full stage, a proscenium arch, and seating for not less than four hundred (400) persons; and

(iv) Contains conference and meeting rooms and a local history museum;

SECTION 8. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

( ) A commercially operated facility that:

(i) Consists of an arts, event, and entertainment venue located on seven and one-half (7.5) acres with eight hundred eighty feet (880') of the property contiguous to the Holston River;

(ii) Hosts drive-in movies, live sports broadcasts, and concerts;

(iii) Offers short-term rentals for camping, recreational vehicles, and tiny homes;

(iv) Operates a daylight-usable, high definition LED screen;

(v) Maintains an event pavilion and wooded riverside terrace; and

(vi) Is located in a city with a population of not less than one hundred seventy-eight thousand eight hundred seventy (178,870) and not more than one hundred seventy-eight thousand eight hundred seventy-nine (178,879), according to the 2010 or any subsequent federal census;

SECTION 9. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on a parcel of land containing approximately five (5) acres;

(b) Is within one thousand feet (1,000') of a state highway that crosses eight (8) counties in northern and northeastern Tennessee;

(c) Is within seven thousand five hundred feet (7,500') of a tributary of the Big South Fork of the Cumberland River;

(d) Contains a hunting lodge that opened in 2007;

(e) Contains a farmhouse originally built in the 1930s;

(f) Hosts pheasant and quail hunters each year;

(g) Is located within seven (7) miles of the Colditz Cove State Natural Area;

(h) Is located in a county having a population of not less than seventeen thousand nine hundred (17,900) and not more than eighteen thousand (18,000), according to the 2010 federal census or any subsequent federal census; and

(i) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin;

(ii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The designated premises may include property owned or leased by the facility and property that is contiguous to the property of the facility that is defined in this subdivision (27)( ). The entire designated premises is covered under one (1) license issued under this subdivision (27)( ); and

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of a facility licensed under this subdivision (27)( ) means, for beer permitting purposes, any or all of the property that constitutes the facility as described in subdivision (27)( )(ii). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

SECTION 10. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Has at least five hundred (500) acres of land surrounded by approximately one and one-half (1.5) miles of shoreline along the Tennessee River;

(b) Is a venue for dove and quail hunting, weddings, corporate retreats, and other events;

(c) Is a working cattle farm, wildlife habitat, and nature preserve, which has access to the River Bluff Trail and Eagle's Nest Trail;

(d) Serves or sells at least two (2) meals to patrons a day;

(e) Has at least one (1) lodging facility to accommodate overnight guests;

and

(f) Is located in a county having a population of not less than forty-eight thousand five hundred (48,500) and not more than forty-eight thousand six hundred (48,600), according to the 2010 federal census or any subsequent federal census;

(ii) The premises of any facility licensed under this subdivision (27)( ) means any and all of the property that constitutes the facility, including all enclosed and outdoor areas of the property, and further including any areas owned in fee or leased. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility described under this subdivision (27)( ) means, for the purpose of obtaining a beer permit, any or all of the property that constitutes the facility, including all enclosed and outdoor areas of the property. The beer permittee shall designate the premises to be licensed by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing;

SECTION 11. Tennessee Code Annotated, Section 57-4-102(34), is amended by adding the following as a new subdivision:

( ) "Sports authority facility" also means a facility that:

(i) Is designed and used for professional sporting events and other entertainment activities;

(ii) Has a seating capacity in excess of two thousand five hundred (2,500); and

(iii) Is located within one half (0.5) mile of Interstate 75 in a municipality having a population not less than twenty thousand nine hundred (20,900) and not more than twenty-one thousand (21,000), according to the 2010 or any subsequent federal census;



SECTION 12. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following as a new subdivision:

(G) Means an institution:

- (i) Dedicated to the life, achievements, and music of Glen Campbell;
- (ii) That contains a production space and live event venue with a capacity of approximately one hundred eighty (180) patrons; a seating maximum of approximately one hundred (100) persons; a built-in sing-a-long booth; and a state-of-the-art lighting and sound system;
- (iii) That contains a rooftop entertainment venue;
- (iv) That contains customizable LED boards that are visible from the exterior of the building;
- (v) That hosts private events and tours; and
- (vi) That is located in a county with a metropolitan form of government and a population of more than five hundred thousand (500,000), according to the 2010 or any subsequent federal census;

SECTION 13. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

( )

(i) A commercially operated facility possessing each of the following characteristics:

- (a) Is located in a county with a metropolitan form of government having a population of not less than six hundred thousand (600,000), according to the 2010 federal census or any subsequent federal census;
- (b) Is a private, for-profit social and golf club, organized and existing under the laws of this state, which has at least six (6) dues-paying members as of January 31, 2021, who pay dues annually, and

which offers its members and bona fide guests golf instruction and golf improvement services;

(c) Is designed around a family theme and professional business environment and contains an area for video games, a pool table, lounge area, pro shop, bar area, and a conference room for business meetings, and periodically offers its members and guests prepared food services provided by third parties at functions or events on the premises;

(d) Contains not less than two (2) golf bays, with tee boxes and golf hitting screens depicting virtual or simulated holes or golf courses for the use of its members and guests;

(e) Totals approximately three thousand one hundred square feet (3,100 sq. ft.), and contains one (1) entrance, with a maximum occupancy of fifty (50) individuals, and contains a back patio with six hundred square feet (600 sq. ft) enclosed by reasonable boundaries, such as planters or dividers, with non-exclusive use; and

(f) Does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, creed, color, sex, age, religion, or national origin;

(ii) The premises of any facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing; and

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of any facility licensed under this subdivision (27)( ) means, for beer permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer

permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title. The requirements of § 57-5-105(b)(1) do not apply to any facility licensed under this subdivision (27)( );

SECTION 14. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

( ) A commercially operated facility that:

(i) Operates an 18-hole golf course situated on over one hundred (100) acres;

(ii) Was established in 1929;

(iii) Operates a full-service restaurant and bar;

(iv) Operates an Olympic pool and members' activity room;

(v) Hosts corporate and group golf outings and fundraisers;

(vi) Is a venue for weddings, receptions, and similar events; and

(vii) Is located in a city with a population of not less than seven hundred ten (710) and not more than seven hundred nineteen (719), according to the 2010 or any subsequent federal census;

SECTION 15. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following new subdivision:

( )

(i) A commercially operated facility that:

(a) Contains an urban, mixed-use community combining a luxury hotel, office space, high-end condominiums, and retail space;

(b) Is a facility that is not less than one million two hundred thousand square feet (1,200,000 sq. ft.);

(c) Is a facility that includes a twenty-one-story office tower with approximately five hundred twenty-five thousand square feet (525,000 sq. ft.) of Class AA space, and a second thirty-four-story tower, including one

hundred ninety-six (196) high-end condominiums anchored by a luxury hotel with two hundred thirty-four (234) rooms;

(d) Includes two (2) towers connected by one (1) additional building that is approximately one hundred fifteen thousand square feet (115,000 sq. ft.) of retail and office space, and anchored by a one-and-one-half-acre plaza at the heart of the community; and

(e) Is located in a county with a metropolitan form of government having a population of not less than six hundred thousand (600,000), according to the 2010 federal census or any subsequent federal census;

(ii) Notwithstanding any law to the contrary, a facility licensed under this subdivision (27)( ) may:

(a) Sell and serve alcoholic beverages and beer to residents, owners, guests, or patrons of the facility on the premises designated by the facility, including within the hotel, office towers and space, high-end condominiums, retail space, common areas, lobby areas, conference rooms, market area, and pool areas of the facility, including the hotel and condominium pools and the common areas between the two (2) towers;

(b) Operate a wine club at the facility to sell sealed bottles of wine to residents or owners of the facility or guests of the hotel, and operate events such as a wine of the month club to sell or give away sealed bottles of wine, fulfill standing orders for residents, owners, or guests, or provide room service to residents, owners, or guests at the facility;

(c) Conduct private events or office functions in any area within the facility for the purpose of selling, serving, or giving away alcoholic beverages or beer to residents, guests, tenants, and owners attending such private events;

(d) Conduct, or have conducted by means of granting a franchise or otherwise, catered events within any area of the facility, including the office towers and within the hotel property or any property within the facility;

(e) Operate, or have operated by means of granting a franchise or otherwise, a hotel, restaurant, or limited service restaurant at the premises of the facility to sell prepared food and alcoholic beverages and beer to patrons; and

(f) Engage in any activity related to the sale, dispensing, or giving away of alcoholic beverages and beer authorized under the authority granted to a hotel licensed under § 57-4-102, including providing room service and bottle services to guests of the hotel or owners of the luxury condominiums, with shared amenities between both owners and guests;

(iii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing, and which may designate areas for unrelated licensed entities. The entire designated premises may be covered under one (1) license issued under this subdivision (27)( ), under multiple licenses pursuant to the franchise authority granted by this subdivision (27)( ), or under multiple licenses issued under this chapter to other unrelated licensed entities. If multiple licenses are granted pursuant to this subdivision (27)( ) or otherwise under chapter 4 of this title, then the designations of the premises may be unenclosed and overlapping; provided, that the premises are located within the facility as herein described;

(iv) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of a facility licensed under this subdivision (27)( ) means, for beer

permitting purposes, any or all of the property that constitutes the facility. The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing, and which may designate areas for unrelated permitted entities. The entire designated premises may be covered under one (1) beer permit issued under chapter 5 of this title or multiple beer permits to other permitted entities. If multiple beer permits are granted pursuant to this subdivision (27)( ), then the designations of the premises may be unenclosed and overlapping; provided, that the premises are located within the facility as herein described;

(v) The requirements of § 57-5-105(b)(1) do not apply to a facility licensed under this subdivision (27)( );

(vi) A facility licensed under this subdivision (27)( ) may seek an additional license as a restaurant, limited service restaurant, hotel, or caterer under this chapter;

(vii) A facility licensed under this subdivision (27)( ) may hold any of the licenses authorized under this subdivision (27)( ) or may grant a franchise to one (1) or more entities for any or all such licenses;

(viii) A facility licensed under this subdivision (27)( ) may deliver sealed bottles or containers of wine or beer to any area within the licensed premises of the facility; and

(ix) Notwithstanding any law to the contrary, nothing in this subdivision (27)( ) prohibits a qualified entity, unrelated to the facility, from applying for and receiving a license issued under chapter 4 of this title and operating independently from the facility, but within the premises of the facility. The commission shall interpret this subdivision (27)( )(ix) to allow for flexibility in licensure within the premises of the facility;

SECTION 16. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

- (i) A commercially operated facility that:
  - (a) Is located on at least forty (40) acres;
  - (b) Serves as a venue for weddings, business retreats, meetings, conferences, and events;
  - (c) Is located on property that is within one quarter (1/4) mile of the intersection of Patton Road and Cox Road; and
  - (d) Is located in a county having a population of not less than one hundred eighty-three thousand one hundred (183,100) nor more than one hundred eighty-three thousand two hundred (183,200), according to the 2010 federal census or any subsequent federal census;
- (ii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility, including restaurants, cabins, lodges, clubhouses, swimming pools, tennis courts, golf courses, paths, and road crossings. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;
- (iii) A facility licensed under this subdivision (27)( ) may be issued one (1) or more liquor-by-the-drink licenses;
- (iv) A facility licensed under this subdivision (27)( ) may obtain a license as a caterer under subdivision (6);
- (v) A facility licensed under this subdivision (27)( ) may, at its own discretion, hold a license under this subdivision (27)( ), subdivision (6), and § 57-3-204, and may grant a franchise right to one (1) or more entities that can hold licenses pursuant to this subdivision (27)( ); and
- (vi) A facility licensed under this subdivision (27)( ) may deliver alcoholic beverages to any area within the licensed premises of the facility;

SECTION 17. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on a parcel of land containing approximately eighteen (18) acres;

(b) Is located adjacent to a federal highway;

(c) Contains an English Tudor-style house built in 1973;

(d) Serves as a venue for weddings, meetings, and events;

(e) Contains a winery that was first licensed in 1980;

(f) Is located within two (2) miles of a municipal airport;

(g) Is located within five (5) miles of the Colditz Cove State Natural Area;

(h) Is located in a county having a population of not less than seventeen thousand nine hundred (17,900) and not more than eighteen thousand one hundred (18,100), according to the 2010 federal census or any subsequent federal census; and

(i) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin;

(ii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The designated premises may include property owned or leased by the facility and property that is contiguous to the property of the facility that is defined in this subdivision (27)( ). The entire designated premises is covered under one (1) license issued under this subdivision (27)( );

(iii) Notwithstanding a provision of chapter 5 of this title to the contrary, the premises of a facility licensed under this subdivision (27)( ) means, for beer permitting purposes, any or all of the property that constitutes the facility as described in



subdivision (27)( ) (ii). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title; and

(iv) The winery located at a facility licensed under this subdivision (27)( ) may exercise the rights and privileges established in § 57-3-207 anywhere on the premises of the facility notwithstanding the same premises being licensed under this subdivision (27)( ), and guests may carry drinks sold under either license anywhere on the premises of the facility. The rights and privileges of the winery under § 57-3-207 are not diminished under this subdivision (27)( );

SECTION 18. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

(i) A commercially operated facility that:

(a) Is located on approximately two and one-half (2.5) acres contiguous to Gatlinburg Parkway that connects by way of a Chondola to approximately seventy (70) acres;

(b) Was established in September of 2017;

(c) Operates two (2) full-service restaurants with seating for approximately three hundred (300) patrons, and two hundred fifty (250) patrons, respectively;

(d) Operates a zipline, a single rail coaster covering approximately two (2) miles with mountaintop views of the Great Smoky Mountains National Park;

(e) Operates a suspended tree canopy walk with seventeen (17) bridges that is approximately one (1) mile long; and

(f) Is located in a city with a population of not less than three thousand nine hundred forty (3,940) and not more than three thousand nine hundred forty-nine (3,949), according to the 2010 or any subsequent federal census;

(ii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. The licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing. The designated premises may include property owned or leased by the facility and property that is contiguous to the property of the facility that is defined in this subdivision (27)( ). The entire designated premises is covered under one (1) license issued under this subdivision (27)( );

(iii) Notwithstanding any provision of chapter 5 of this title to the contrary, the premises of a facility licensed under this subdivision (27)( ) means, for beer permitting purposes, any or all of the property that constitutes the facility as described in subdivision (27)( )(ii). The beer permittee shall designate the premises to be permitted by the local beer board by filing a drawing of the premises, which may be amended by the beer permittee filing a new drawing. The entire designated premises is covered under one (1) beer permit issued under chapter 5 of this title;

(iv) A facility licensed under this subdivision (27)( ) may obtain a license as a caterer under subdivision (6);

(v) A facility licensed under this subdivision (27)( ) may grant a franchise right to one (1) or more entities that can hold a caterer's license pursuant to this subdivision (27)( ); and

(vi) A facility licensed under this subdivision (27)( ) may deliver alcoholic beverages to any area within the licensed premises of the facility;

SECTION 19. Tennessee Code Annotated, Section 57-4-102(27), is amended by adding the following as a new subdivision:

( ) A commercially operated facility that:

(i)

(a) Operates a licensed marina and recreational facility that is located on approximately ten and one-half (10.5) acres in Ish Creek,

commonly known as Prater Flats, contiguous to the Tennessee River in Fort Loudon Lake southeast of mile marker six hundred twelve, and bearing approximately eight hundred ninety-nine feet (899') along the shoreline;

(b) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin; and

(c) Is located in a county with a population of not less than one hundred twenty-three thousand one (123,001) and not more than one hundred twenty-three thousand one hundred (123,100), according to the 2010 or any subsequent federal census;

(ii) A facility licensed under this subdivision (27)( ) may also operate a restaurant on the premises if the restaurant is separately licensed under this chapter; and

(iii) The premises of a facility licensed under this subdivision (27)( ) means any or all of the property that constitutes the facility. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing;

SECTION 20. This act takes effect upon becoming a law, the public welfare requiring it.